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4 In Pro Per

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7 REQUEST FOR JUDICIAL NOTICE

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES

11 NAME OF PLAINTIFF, Case No: 2:23-cv-03452-JAK-MRW
12 TODD MICHAEL SCHULTZ REQUEST FOR JUDICIAL NOTICE

13 VS.

14 NAME OF DEFENDANT(s),
15 MICHAEL C. THOMPSON
16 GREGORY R. HOLMES
17 YOUTUBE LLC

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22 This request for judicial notice is to inform the court that the defendant has
23 on one occasion, in a conversation with Mr. Thompson, which as
24 documented by Mr. Thompson and placed on his youtube channel "Hell
25 Toupee" in a video with the title "Todd Schultz embarrasses himself in
26 another live interview, admits to illegal drug abuse 7-17-21", admits to
27 intentional infliction of emotional distress. He claims to not understand that
it is illegal, which does not provide him immunity from the crime of
Intentional Infliction of Emotional Distress. Link to video:
<https://www.youtube.com/watch?v=TUqqXDXwTKk>

At the 18:10 mark, Mr. Schultz tells Mr Thompson he is participating in the intentional infliction of emotional distress and Mr. Thompson responds that it is not a crime to intentionally inflict emotional distress, which is false I have provided a transcript from GoTranscribe.com, a professional service. The conversation is rife with bullying, defamation, and willful and intentional infliction of emotional distress, however, Mr. Thompson's admission is clear. And therefore of utmost importance for judicial notice. As a pro se litigant, I intend to adhere to all court procedure, part of which is providing the court the most opportunity to adjudicate quickly. I reported this video to YouTube on July 18th, 2021, the day after the conversation and YouTube did not take the video down. I believe that is clearly an example of bad faith moderation on their part, and in their Terms of Service, which can be deemed to be a contract or a promise, **"Content that threatens individuals is not allowed on YouTube. We also don't allow content that targets an individual with prolonged or malicious insults based on intrinsic attributes. These attributes include their protected group status or physical traits. If you find content that violates this policy, report it."** I reported it, they kept it up on their site and therefore are not immune under section 230 due to promissory estoppel. The tenants of promissory estoppel being

- 1)The defendant made a clear and unambiguous promise.
- 2)The plaintiff acted in reliance on the defendant's promise.
- 3)The plaintiff's reliance was reasonable and foreseeable.
- 4)The plaintiff suffered an injury due to reliance on the defendant's promise.

It is clear from all the evidence filed up till now, and with addition of this request for judicial notice, that YouTube did meet the requirement for promissory estoppel.

I state that everything contained in this request is true under penalty of perjury.

Dated June 12th, 2023

Signed by Todd Michael Schultz

2:23-cv-03452-JAK-MRW

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Dated this 2nd of June, 2023

Todd Michael Schultz